

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:07-CR-00027-RJC-DCK

USA

v.

RUSSELL LEE CARRUTH

)
)
)
)
)
)

ORDER

THIS MATTER is before the Court upon motion of the defendant to modify his supervised release revocation sentence. (Doc. No. 55).

On December 2, 2024, the Court held a final supervised release revocation hearing during which the defendant admitted violating his conditions and the parties jointly recommended a 12-month sentence. The Court accepted the agreement and imposed a 12-month sentence. (Doc. No. 54: Judgment at 1). In the instant motion filed on December 10, 2024, the defendant now requests a sentence of 12 months and 1 day to take advantage of good time credit. (Doc. No. 55 at 1). A court has limited authority to correct an imposed sentence, see Fed. R. Crim. P. 35 and 36, but does not have power simply to change its mind about the sentence.

United States v. Cook, 988 F.2d 4, 7 (4th Cir. 1993).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant and to the United States Attorney.

Signed: January 6, 2025



Robert J. Conrad, Jr.
United States District Judge

